

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
8/27/03 Item 3.a.

File Number
PDC03-034

Application Type
Planned Development Rezoning

Council District
4

Planning Area
Alum Rock

Assessor's Parcel Number(s)
254-06-039

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Caleb Gretton

Location: Southeast corner of Capitol Avenue and Baton Rouge Drive

Gross Acreage: 3.4

Net Acreage: 3.4

Net Density: 27 DU/AC

Existing Zoning: Unincorporated

Existing Use: Vacant land

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to 92 Single-family attached units

GENERAL PLAN

Completed by: CG

Land Use/Transportation Diagram Designation
Transit Corridor Residential 20+ units per acre

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: CG

North: Vacant land

Unincorporated County

East: Single-Family Residential

A(PD) Planned Development Residential & R-1-8

South: Multi-family residential

R-M(PD) Planned Development Multi-Family Residential

West: Multi-Family Residential

A(PD) Planned Development Residential

ENVIRONMENTAL STATUS

Completed by: CG

☐ Environmental Impact Report found complete
☒ Negative Declaration circulated on August 4, 2003
☐ Negative Declaration adopted on

☐ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: CG

Annexation Title: McKee 122

Date: pending

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions
☐ Denial
☐ Uphold Director's Decision

Date:

Approved by: _____
☐ Action
☐ Recommendation

APPLICANT/DEVELOPER

OWNER

Trumark Company
Chris Davenport
4185 Blackhawk Plaza Circle #200
Danville, CA 94506

Bob Simons
910 Campisi Way
Campbell, CA 95008

PUBLIC AGENCY COMMENTS RECEIVED**Completed by: CG**

Department of Public Works

Please see attached memorandum

Other Departments and Agencies

Please see attached memorandum from the Police Department, the Environmental Services Department, Santa Clara Water District, Santa Clara County, the Fire Department and the Valley Transportation Agency

GENERAL CORRESPONDENCE

Please see attached letter from the Santa Clara County Housing Action Coalition

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Trumark Companies, is requesting a Planned Development Rezoning of a 3.4 gross acre site located within an unincorporated county area to allow up to 92 single-family attached dwelling units on the subject property.

The subject site is rectangular in shape and approximately 3.4 gross acres in size. The project site was historically used for agricultural use and is currently vacant. The site is bounded by Baton Rouge Drive to the north, North Capitol Avenue to the east, and multi-family development to the south and east. The multi-family development to the south has a density of 22.6 DU/AC and the development to the east has a density of 15.2 DU/AC. The property across Baton Rouge Drive to the north is vacant unincorporated county land with a General Plan designation of Transit Corridor Residential. The uses across North Capitol Avenue to the east are single-family detached residences (8 DU/AC). The subject site is located approximately 2,000 feet from the Penitencia Creek Light Rail station and approximately 1,800 feet from the McKee Road Light rail Station.

Project Description

The proposed zoning would allow up to 92 single-family attached (condominium) units. The zoning would not provide for subdivision. Development standards included within the proposed zoning would allow buildings up to three stories (45 feet) in height and require 240 square feet of common open space per unit and 60 square feet of private open space per unit.

As depicted on the conceptual site plan, the project would have several characteristics typical of a Garden Townhouse development. Units would have front doors that face on to a pedestrian open space paseo. Each unit would back on to one of three private driveways that provide access into the site from Baton Rouge Drive. In addition to the paseo areas, the proposed project includes a 3,000 square foot tot lot and a 2,500 square foot common open space area (approximately 240 square feet total of common open space per unit.).

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration was circulated on August 4, 2003. The Mitigated Negative Declaration addressed issues such as Noise, Traffic, Water Quality, Air Quality and Construction related impacts. With the implementation of the proposed mitigation measures, which include construction related mitigation for potential noise, urban runoff, air quality, and water quality impacts, the project will not have a significant impact on the environment.

GENERAL PLAN CONFORMANCE

The density of the proposed development (27 DU/AC) meets the minimum density level of the Transit Corridor Residential (20+ DU/AC) designation and is in conformance with the General Plan. General Plan conformance is further discussed below in the Analysis section.

ANALYSIS

The primary issue analyzed for this project are conformance to the General Plan and conformance to the Residential Design Guidelines. Items addressed within the Guidelines include Unit Type, Site Design, Perimeter Setbacks, Private and Common Open Space, and Internal Setbacks and Building Separation.

General Plan

The subject property has a designation of Transit Corridor Residential (TCR) 20+ units per acre and is located within the Capitol Avenue light rail corridor. While 20DU/AC is the minimum density for sites with the Transit Corridor Residential designation, the General Plan strongly encourages development to occur at higher densities for TCR sites within 2000 feet of a Light Rail Station.

The desired density for new development located along a Light Rail Corridor is 40+ DU/AC, with a minimum density of 50+ DU/AC for properties adjacent to a Light Rail Station. Although the subject property is located along a Light Rail Corridor, it is at the midway point between two light rail stations, approximately 1800 feet away from the closer one. Because the subject property is relatively small in size (3.4 gross acres) it is not one of the prime Housing Opportunity sites. In determining an appropriate density for the subject property, staff evaluated the opportunity to achieve high-density projects on other sites located along the North Capitol Avenue Corridor. A number of sites were identified along North Capitol Avenue that are considered to be more suitable for very high-density development, including the property directly north of the subject site. Because there is sufficient opportunity to develop very high-density projects on sites more suitable for high densities along the North Capitol Avenue, staff made a determination that a minimum density of 27 DU/AC on the subject property would be acceptable.

Residential Design Guidelines

Unit Type

The proposed project is a hybrid of two development types identified in the Residential Design Guidelines, "Garden Townhouse" and "Cluster Housing". As proposed in this project, Garden Townhouses are designed with front door access from a paseo at the front of the unit and a garage for each unit accessed from an alley at the rear of the unit. Garden Townhouse development, however, typically has a density range of 8-16 DU/AC. Because the project was designed to achieve a higher

density of 27 DU/AC, buildings are placed more closely together, with lesser amounts of private open space. As a result the proposed project also has characteristics consistent with a Cluster Housing development, which typically has a density of 16 to 35 DU/AC. Consistency with the Residential Design Guidelines is therefore discussed in the following analysis in reference to the guidelines applicable to both project types.

Site Design

Per the Residential Design Guidelines, Garden Townhouse units should be oriented to common open space areas that are attractive and generously landscaped. A pedestrian circulation system should link unit entrances with other uses or areas on the site. A portion of the common open space should be visible from surrounding streets or drives and between buildings, and where possible, it should extend all the way to the driveway. Guest parking is typically accommodated in open parking areas, which should be screened from the common open space.

The proposed project, as depicted on the conceptual site plan, would fully meet these goals. A generous pedestrian circulation system has been provided by means of a paseo system that connects to both Baton Rouge and Capitol Avenue. Each unit fronts on to a paseo or a common open space, and several units side on to a paseo as well. The paseos and open spaces are designed and located to have a high degree of visibility from the surrounding streets and project drives. Guest parking is provided along Baton Rouge Drive or as “on-street” parking on a portion of the private driveways widened to have a character similar to that of a public street.

Perimeter Setbacks

The Residential Design Guidelines provide appropriate setbacks for new development with respect to adjacent streets and adjacent uses. Per the RDG, the minimum setback for a two-story unit from a major public street is 35 feet, from a minor residential street is 18 feet, and setbacks from adjacent residential uses should match setbacks of existing similar structure or use, provided such setbacks do not exceed the range of common practice.

The proposed zoning provides a 17-foot setback from North Capitol Avenue, a major public street. This setback is 20 feet short of the RDG standards. The proposed setback from Baton Rouge, a minor residential street, is five feet, which is 13 feet short of the RDG standards. The proposed setback from the adjacent multi-family residential uses to the west and south of the subject property are a minimum of eight feet, which is consistent with the setback provided by the apartment buildings to the west of the property but is significantly less than the setback provided by the apartments to the south of the subject property. However, the use directly adjacent to the subject site to the south is a parking area used by the apartments, and is not impacted by a reduced setback of the proposed zoning.

In order for the proposed zoning to reach a desirable density, a reduction in the perimeter setbacks was considered necessary. Staff has determined that the benefit of providing the additional units in order to provide a more appropriate density outweighs the impacts associated with a reduction in perimeter setbacks.

Additionally, the reduced setbacks are consistent with development along North Capitol Avenue. Setbacks from North Capitol Avenue are generally smaller than typical as result of the street widening in order accommodate the new Light Rail Line. Although the setback was reduced as a result of the street widening it has created a pattern of reduced setbacks along Capitol Avenue, with which the proposed zoning is consistent.

Although the project proposes setbacks that do not conform to the requirements of the Residential Design Guidelines, staff believes the setbacks are acceptable. The proposed setbacks are consistent with similar development along the North Capitol Avenue corridor, and the priority of providing higher densities outweighs the impacts of providing reduced setbacks.

Private and Common Open Space

Because the project density is more consistent with the Cluster Housing development type density, it does not meet the Garden Townhouse standard for private open space established in the Residential Design Guidelines. The project would however have significantly more common open space than required for a Garden Townhouse project and would even exceed the higher Cluster Housing standard for common open space, while meeting the Cluster Housing standard for private open space.

In the Residential Design Guidelines, Garden Townhouses are required to have 150 square feet of common open space per unit and Cluster Housing projects are required to have 200 square feet of common open space per unit. The proposed Zoning would provide at least 240 square feet of common open space per unit. As depicted on the conceptual site plan, the common open space areas are anticipated to consist of a 2,790 square foot picnic/BBQ area, a 3,120 square foot tot-lot and approximately 16,000 square feet of paseo area for a total area of approximately 22,000 square feet. The project would exceed the minimum square footage requirements set in the Guidelines and should result in the development of useful common open space areas appropriate to the type of development.

The Residential Design Guidelines require 300 square feet of private open space per unit for Garden Townhouse developments and 60 square feet of private open space per unit for Cluster Housing development. The proposed Zoning would provide at least 60 square feet of private open space for each unit. As depicted on the conceptual floor plans, each unit is currently provided with a private porch that varies in size from 35 square feet to 117 square feet depending upon the unit type. In some cases, two units share this single porch area. Some units would also have a second-story deck providing an additional 90 square feet of private open space. The project design will need to be resolved at the Planned Development Permit stage to insure that each unit includes a minimum of 60 square feet of private open space.

Internal Setbacks and Building Separation

The Residential Design Guidelines include the same standards for setbacks and building separations for Garden Townhouse and Cluster Housing developments. These standards have been incorporated into the project Development Standards as follows:

- 1) *“Front and side setbacks from drives and entry drives should be a minimum of 10 feet; setbacks from parking should be 20 feet.”* As depicted on the conceptual site plan, end units would have an entry oriented toward the private drive with generally a 20 foot setback to the edge of curb/parking area for the private drives. In a couple of locations however, parking would be located within 10 feet of unit. Because parking is provided through the equivalent of on-street parking, the units in these situations essentially have a 10-foot front setback facing a minor residential street condition. Given the higher density of project and the amount of common open space otherwise provided, this is an appropriate interface for these units.
- 2) *“Rear setbacks of buildings, including for garage faces, from drives may be 0 feet, provided that there is at least one 9 net square-foot planter area containing a tree or large shrub located between the drive and each unit.”* The Zoning would conform to this standard. The proposed

project would include a four-foot setback between garage and driveway and at least one planter, four feet by three feet in dimension, will be provided for each unit.

- 3) *Building Separations* - The Guidelines specify minimum building separations based upon front, rear and side orientations. The Guidelines establish a minimum 30-foot separation where two units front toward each other. The proposed Zoning does not meet this standard in that it would provide only a minimum 14-foot front-to-front separation. In some areas of the project, this paseo may have a greater dimension, but would generally not be much greater than 14 feet. The minimum separation requirement is intended to provide adequate common open space area and to allow sufficient light and air movement between buildings. It also typically is used to provide the private open space for each unit in a Townhouse type project. As noted above, however, the proposed project would include extra common open space and other extra amenities to compensate for the substandard building separation (paseo) dimension. These include a secondary central connecting paseo that runs through the project and breaks up the building mass into sections about 120 feet in length, allowing for sufficient light and air circulation within the paseo areas.

Conclusion

While the project does not fully meet some of the applicable Guideline standards for setbacks and building separations, it would include a large amount of high-quality, common open space area in excess of the standards. Overall, the project represents an effective compromise between the developer's desire to provide single-family units, the City's goal of achieving higher-density and the need to provide a pleasant living environment for future residents.

PUBLIC OUTREACH

Notices of a Draft Mitigated Negative Declaration and a public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City web site. Staff has been available to discuss the project with members of the public.

RECOMMENDATION

Planning staff recommends that the City Council approve the subject rezoning for the following reasons:

1. The proposed project is consistent with the anticipated San Jose 2020 General Plan Land Use/Transportation Diagram designation of Transit Corridor Residential (20 + DU/AC).
2. The proposed project generally conforms to the Residential Design Guidelines.
3. The project furthers the goal and objectives of the City's infill housing strategy and will promote transit usage.
4. The proposed zoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

Attachments